United Nations A/AC.182/L.146

General Assembly

Distr.: Limited
24 February 2017

Original: English

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
21 February-1 March 2017

Peaceful settlement of disputes

Revised proposal of the Non-Aligned Movement on the pacific settlement of disputes and its impact on the maintenance of peace

The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization,

Expressing the importance that the United Nations bring about by peaceful means the settlement of international disputes which might lead to a breach of the peace, taking into consideration that there are disputes in current international relations that could endanger international peace and security,

Recalling that the Manila Declaration on the Peaceful Settlement of International Disputes was the first instrument adopted by the General Assembly as a result of the work of the Special Committee,

Reaffirming the provisions of Chapter VI of the Charter of the United Nations and its commitment to peaceful means for the settlement of disputes,

Recalling that, as provided in Article 2, paragraph 4, of the Charter, all States Members of the United Nations shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming that the Charter, in Article 33, paragraph 1, stipulates that the parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice,

Affirming that the Security Council should fully implement the relevant provisions of Chapter VI, in particular Article 33, paragraph 2, and avoid resorting to Chapter VII of the Charter as a general framework to address conflicts which do not necessarily represent a threat to international peace and security,

Reaffirming that all States should observe the provisions of the Charter,

17-03108 (E) 280217

Please recycle

Noting the draft of the articles on the responsibility of States for internationally wrongful acts, which have been commended to the attention of Governments, without prejudice to the question of their future adoption or other appropriate action,

Recommends that the General Assembly decide that the Special Committee shall hold an annual thematic debate under the agenda item on the peaceful settlement of disputes, to discuss the means for the peaceful settlement of disputes, in accordance with the provisions of Chapter VI of the Charter of the United Nations, and in that regard:

(a) *Invites* Member States to focus their comments at the next session of the Special Committee, to be held at the seventy-second session of the General Assembly, on the subtopic "Exchange of information on State practice on the use of [one of the methods in Article 33 of the Charter, to be decided by the Special Committee], for the peaceful settlement of disputes";

(b) *Also invites* Member States to submit, on a voluntary basis, information on their practice regarding the peaceful settlement of disputes, in particular on the use of [one of the methods in Article 33 of the Charter, to be decided by the Special Committee], its guiding principles, privileges and limitations, and requests the Secretariat to compile such information for further consideration by the Special Committee;

(c) *Suggests* that the International Law Commission consider including in its programme of work a study on the obligation of States to use peaceful means for settling their international disputes.